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March 20, 2023

BY ECF

The Hon. Naomi Reice Buchwald, SDNY
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: Brendan Picha, et al. v. Gemini Trust Company, LLC, et al., No. 1:22-cv-10922
Proposed Motion to Compel Arbitration Briefing Schedule

Dear Judge Buchwald:

This firm represents defendants Gemini Trust Company, LLC, Tyler Winklevoss and Cameron Winklevoss (the “Defendants”).

Pursuant to the Court’s March 2, 2023 Order (Dkt. 42), the parties met and conferred by telephone on March 17, 2023 and jointly request that the Court order the below briefing schedule for Defendants’ Motion to Compel Arbitration (the “Motion to Compel Arbitration”) and extension of the deadline for Defendants to respond to the Amended Complaint filed on March 16, 2023.

As required by Your Honor’s Individual Practices Rule 1.E when an extension of time is sought, the Defendants’ response to the Amended Complaint is currently due on March 30, 2023 under Fed. R. Civ. P. 15(a)(3). No previous requests for an extension have been sought in this action. All parties to this action agree to the proposed briefing schedule and extension of the responsive pleading deadline.

The parties propose the following deadlines:

1. Defendants’ Motion to Compel Arbitration due April 7, 2023.
2. Plaintiffs’ response to the Motion to Compel Arbitration due May 5, 2023.
3. Defendants’ reply in support of the Motion to Compel Arbitration due May 19, 2023.
4. Defendants shall not be required to answer the Amended Complaint unless the Court denies Defendants’ Motion to Compel Arbitration, in which case Defendants’ answer or other

responsive pleading to the Amended Complaint shall be due twenty-one (21) days after entry of the Court's Order denying the Motion to Compel Arbitration.

Sincerely,

/s/ John F. Baughman

cc: Counsel of Record via ECF